IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16653 of 2008
VIKASH KUMAR @ VIKASH VERMA
Versus
STATE OF BIHAR
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2 06.05.2008 This is an application filed under Section 482 of the Cr.P.C. for the modification in the order dated 8th January, 2008 passed in Cr. Misc. No.51948 of 2007.

Learned lawyer for the petitioner submits that the petitioner Vikash Kumar @ Vikash Verma was granted provisional bail vide order dated 17th December, 2007 passed in Cr. Misc. No.51948 of 2007 with the direction to surrender in the court-below by 4th January, 2008 and file surrender certificate. He submits that the petitioner as per the direction of the court has surrendered on 4.01.2008 but the surrender certificate was not produced in this court or no information was given. Consequently, vide order dated 8.01.2008 the learned Chief Judicial Magistrate, Jehanabad was directed to take steps for arrest of the petitioner. He submits that as the petitioner has already surrendered as per the direction of the court and is in jail custody and hence, the aforementioned order be set aside.

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In view of the submissions made the order passed on 8th January, 2008 in Cr. Misc. No.51948 of 2007 directing the Chief Judicial Magistrate to take steps for arrest of the petitioner Vikash Kumar @ Vikash Verma in connection with Kinjar P.S.Case No.43 of 2004 has become infructuous .

In the facts and circumstances of the case and submissions

made the Misc. Case is allowed as the order dated 8.01.2008 has become infructuous and the said order is modified accordingly.

Mkr. **(Anwar Ahmad, J)**

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